

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES

v.

KINGSLEY R. CHIN and  
ADITYA HUMAD,  
*Defendants.*

No. 1:21-cr-10256-IT

**DEFENDANT KINGSLEY CHIN’S NOTICE IN RESPONSE TO  
THIS COURT’S JUNE 7, 2024 AND FEBRUARY 18, 2025 ORDERS**

This Court previously ordered the defendants to provide “notice of their intent to raise an advice/involvement of counsel defense . . . at the time of their other disclosures” under the Amended Pretrial Order. D.E. 179. Subsequently, on February 18, 2025, the Court “clarified that its warning does not concern lawyers as to whom the Defendants are not asserting an attorney-client privilege, and that the warning concerns Defendants’ references to lawyers for the purpose of rebutting *mens rea*.” Memorandum & Order, D.E. 247.

Speaking for only himself, Dr. Chin hereby confirms that he does not intend to raise a reliance on counsel defense and does not intend to rebut *mens rea* with references to exculpatory involvement of lawyers as to whom he is asserting a privilege. Based on the Memorandum & Order dated February 18, 2025, Dr. Chin reserves the right, without triggering any waiver of privilege, for his counsel to elicit, including on *mens rea* issues, evidence concerning the involvement of counsel for others such as consultants whose lawyers reviewed the consulting program and underlying agreement before their clients proceeded with pertinent arrangements.

Dr. Chin understands that the attorney-client privilege concerning SpineFrontier’s communications with its lawyers belongs to SpineFrontier, which is no longer a party to this case.

SpineFrontier has maintained its privilege and its objection to the finding of any waiver. D.E. 244.

Respectfully submitted,

**KINGSLEY CHIN**

By his attorneys,

/s/ Joshua L. Solomon

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on March 3, 2025, I caused the foregoing document to be filed through the ECF system, and it will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Joshua Solomon  
Joshua Solomon